

## CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2005 .....	\$31,166,027
Budget estimate of new (obligational) authority, fiscal year 2006 .....	29,730,600
House bill, fiscal year 2006 .....	30,283,530
Senate bill, fiscal year 2006 .....	31,763,050
Conference agreement, fiscal year 2006 .....	31,009,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year .....	-157,027
Budget estimates of new (obligational) authority, fiscal year 2006 .....	+1,278,400
House bill, fiscal year 2006 .....	+725,470
Senate bill, fiscal year 2006 .....	-754,050

DAVID L. HOBSON,  
RODNEY P.  
FRELINGHUYSEN,  
TOM LATHAM,  
ZACH WAMP,  
JO ANN EMERSON,  
JOHN DOOLITTLE,  
MICHAEL K. SIMPSON,  
DENNIS R. REHBERG,  
JERRY LEWIS,  
PETER J. VISCLOSKEY,  
CHET EDWARDS,  
ED PASTOR,  
JAMES E. CLYBURN,  
MARION BERRY,  
DAVID R. OBEY,

*Managers on the Part of the House.*

PETE V. DOMENICI,  
THAD COCHRAN,  
MITCH MCCONNELL,  
ROBERT F. BENNETT,  
CONRAD BURNS,  
LARRY E. CRAIG,  
CHRISTOPHER S. BOND,  
KAY BAILEY HUTCHISON,  
WAYNE ALLARD,  
HARRY REID,  
ROBERT C. BYRD,  
PATTY MURRAY,  
BRON L. DORGAN,  
DIANNE FEINSTEIN,  
TIM JOHNSON,  
MARY L. LANDRIEU,  
DANIEL K. INOUE,

*Managers on the Part of the Senate.*

REMOVAL OF NAME OF MEMBER  
AS COSPONSOR OF H.R. 4176

Mr. DOOLITTLE. Madam Speaker, I ask unanimous consent to have the gentleman from Nevada (Mr. GIBBONS) removed as a cosponsor of H.R. 4176.

This bill involves public lands that cross our adjacent districts. The gentleman's name was added to the bill erroneously.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

THE NOMINATION OF JUDGE  
ALITO TO THE U.S. SUPREME  
COURT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I hope that as this Congress, particularly the other body, begins to proceed with their hearings on Judge Alito, that no precedents will be made.

I, frankly, believe that this is one of the most important confirmation processes that we will see in our lifetimes, for it has the possibility of altering the Court drastically to one position versus another. For any Member of this body or Congress to suggest that there may not be a need for a filibuster to me is suggesting that there is no need for principles.

The legacy or the history of Judge Alito is of many different kinds, many different decisions. My view is that his nomination and confirmation will alter this Court and not make it the balanced Court that Americans have come to believe in. So I would warn those who would automatically suggest that a filibuster is not appropriate. Hearings are appropriate and maybe an up-or-down vote ultimately, but it may be that a filibuster is appropriate to save the United States Supreme Court.

## PRAYERS FOR TORNADO VICTIMS

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Two a.m. Sunday morning in Newburgh, Indiana, the rains came down, the winds blew and beat against the homes of that community, and it fell with a great crash.

□ 1930

It was the worst loss of life for a tornado in the State of Indiana since April 1974.

Nancy Grimes said to me today in an e-mail of the experience, "It had to be the scariest thing I have ever been through. The noise and the debris hitting our house was incredible. I think I screamed for 5 to 10 minutes during the duration, and then there was total calm. And the next morning I cried when I walked out onto our front porch and saw the destruction." She spoke of finding a needlepoint Christmas ornament with the word "Hope" stitched into it. She wrote, "It will certainly find a place on our Christmas tree this year."

I urge my fellow Hoosiers and all Americans who have watched the grim reports from southern Indiana and northern Kentucky to be generous in prayer, to take every opportunity to come to the material aid of the families and communities affected by this horrendous tornado.

WORKING TOWARDS ALTERNATIVE  
FUEL SOURCES

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Madam Speaker, I wanted to say that while I cannot stand filling up my car at \$3 a gallon, like anybody else, there is one good thing about it, and that is that there are a lot of people out there thinking, well, what alternatives are there to fossil fuel energy? What other ways can we get fossil fuel out of the ground? What other ways can we buy it from other countries? We do not really like being 58 percent dependent on the Middle East for fossil fuels.

So, at \$3 a gallon, people have almost daily reminders: What can we come up with? Hydrogen-powered cars such as the type General Motors is working on, and they had it last week at the Capitol. They will be really up and running probably in 5 to 10 years. Very exciting.

Ethanol. In Brazil, 40 percent of the cars run on ethanol. In America, only 3 percent do. There are fuel cells, there is even nuclear power. There are all kinds of things, new types of electrical cars that we need to be putting money into.

The Republican Congress has put money and tax credits towards research and development so that our universities, our labs, our start-up enterprises can come up with alternative fuel sources, and I am proud that we are moving in the right direction, but we need to do it faster.

## SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INFLUENZA PREPAREDNESS AND  
PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of California. Madam Speaker, today I have introduced the Influenza Preparedness and Prevention Act, authorizing legislation that takes urgently needed steps towards preparing our Nation for the threat of pandemic flu. As an appropriator, I have rarely introduced authorizing legislation. It is something I have only done a handful of times in my career in the House, but I firmly believe this looming catastrophe calls for action.

In 1918, the Spanish flu killed 40 million people worldwide, and more died from the flu than through combat during World War I. Experts warn us that we are overdue for another pandemic flu outbreak. Although this avian flu

virus has not yet transferred from human to human, it looks and acts like the virus of 1918, more so than any other influenza outbreak in this century. Of the more than 100 people known to have contracted the virus in Asia, 50 percent have died.

If a pandemic flu hits our shores, all levels of government must work together if we are to avoid thousands of deaths. We in Congress must make sure the infrastructure and resources are in place to prepare for and combat a pandemic flu crisis.

The President has issued a call for action by a National Strategy on Pandemic Influenza. The key components of this strategy are international surveillance, domestic surveillance, vaccine development, stockpiling antivirals, communication, and State and local preparedness.

The legislation I have introduced today, the Influenza Preparedness and Prevention Act, supports and complements the administration's strategy. Most importantly, it sets us on a course to quickly develop and purchase vaccines and antivirals. For example, my bill calls for Health and Human Services to stockpile enough antivirals to treat 25 percent of the U.S. population. As the President has made clear, though, stockpiling is only a part of the strategy to combat a pandemic.

Vaccines are the ultimate defense against a pandemic. A vaccine developed by NIH shows early signs of promise for preventing the most dangerous strain of avian flu. My legislation calls on the Secretary of HHS to begin to stockpile doses of a viable vaccine. It also supports the continuing development by NIH of an effective vaccine and new technologies that will make it faster and easier to produce.

Madam Speaker, we do not have the vaccine manufacturing capacity in the United States to produce the doses we need to combat a pandemic. The number one barrier is more vaccine production, and to that production is the threat of lawsuits. We must have sensible liability reform as we search for a vaccine and build manufacturing capacity. My bill proposes limited liability protections for vaccine manufacturers and providers, with an exception to allow suits to proceed against companies who act with willful misconduct.

Education and communication are vital to prepare for a pandemic. The Centers For Disease Control and Prevention does fabulous work in public health education. My bill expands and supports their efforts to work with health providers and State and local health departments in this effort.

It is critical that we educate the public on both pandemic influenza and the garden variety flu we see every year. The more people become used to taking the annual flu vaccine, the easier it will be to get them in quickly for vaccinations in a pandemic. And the more business we provide for vaccine makers, the better our chances they will be

ready to gear up for the kind of production that we will need to stop a new strain from reaching pandemic levels.

Of course, the way to stop the avian flu outbreak from becoming a pandemic is spotting it and containing it as soon as possible. The CDS is working across the globe to detect and identify the avian flu virus and is working with foreign health officials on strategies to prevent outbreaks. This bill will expand this critical program and create an assistance program for helping nations to combat avian flu.

The pandemic may never happen, but we cannot put American lives at risk by failing to prepare and make proper investments. This legislation is just the beginning of the commitment that I will make to head off this potential pandemic. As chairman of the Appropriations Committee, I vow we will respond to the administration's emergency supplemental request, and the pipelines will be filled to meet this challenge.

#### GOP DOUBLE-TALK ON ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Madam Speaker, this Wednesday, some of the biggest names in the oil industry are coming to Capitol Hill to testify why their companies are making record profits at the same time Americans are struggling to heat their homes and fill their cars with gasoline.

We are hearing some big talk out of the Republicans now. Senator DOMENICI said the oil executives "are going to get pounded on the price." Last week, my colleague from Georgia (Mr. KINGSTON), my friend, said that oil companies should "give back to the American people and put some of that profit toward lowering the cost of gas." Even the Speaker of the House said, "The oil companies need to do their part."

Man, you would think we were all Rip Van Winkle around here, as if we just woke up after 100 years. You might actually believe the Republicans were trying to do something about gas prices. I only wish this was the attitude and intention when we had the energy bill up on the Floor just only 6 weeks ago. Their tune was different then and winners were different then. Back then, they were all singing the energy industry's hymn. The chairman of the Energy and Commerce Committee said, "This is a darned good bill, and this is going to help this country. The sooner we get it implemented, the better." Senator DOMENICI said that the energy bill was "the most important piece of energy legislation by Congress in 50 years."

Republicans may be talking a good game now, but the fact is that, until recently, the Republican Congress has done everything in its power to help oil and gas companies. The energy bill they passed this July actually con-

tained \$14.5 billion in taxpayer subsidies to oil and gas companies to drill for oil. We are subsidizing oil and gas companies when the price of a barrel is 65 bucks a barrel. In fact, the bill they passed, according to the Department of Energy, the bill actually increases the cost of gasoline. It increases the cost of gasoline so consumers pay more at the pump, and because of the tax subsidy, on April 15, we also pay more, all for big oil companies who are making record profits.

I think what the big oil companies miss and what we need is a little free market in this process. There is too much corporate welfare going on. Most recently, this Congress passed a refinery bill with an additional \$2 billion in handouts to oil and gas companies. The worst part of it is that the refiners did not even ask for the bill; the Republican Congress just gave it to them.

So why the sudden change towards the oil industry from cheerleader to detractor? Gas is around 3 bucks a gallon. Utilities are now predicting that families could pay as much as 70 percent more to heat their homes this winter, and 1 year from today is Election Day. So all of a sudden, everybody is realizing that they have to act really tough on the big oil companies.

Natural gas prices are so high that the Energy Department predicts the average bill for the average family will be \$350 more this season. American families are struggling with sky-high energy bills, and oil and gas companies are struggling with ways to count their cash.

ExxonMobil recently reported that their profits increased by 75 percent in the third quarter. Shell's earnings increased 68 percent. Phillips' third quarter, 89 percent; BP Amoco, a 34 percent rise in quarterly earnings. And what did we do in Congress the same season? We gave them \$14 billion a year to help them drill for oil, which is their business plan.

Now, I do not know about you, but my view is, if you are making record profits, somewhere north of 80 percent, the last thing we want to ask the consumers is to subsidize your business plan. You are in the business of looking for oil and getting it to consumers, and the taxpayers should not be in the business of subsidizing it. You should get a wake-up call on what the free market is like.

ExxonMobil is the largest donor to the Republican Party, and that is why we produced a piece of legislation that gave them one of the biggest handouts to corporate beneficiaries. But I cannot fault the oil companies; it is just a good investment for them. Since 1980, big oil and big gas have given the Republican Party well over \$200 million in support, and they have gotten \$14.5 billion in taxpayer subsidies. Where else can you get an investment like that with a return like that? You cannot get that on Wall Street.

Now, with their approval ratings at an all-time low, all of a sudden, Republicans are trying to figure out how to